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**POLICE DEPARTMENT
CITY OF NEW YORK
INTERNAL AFFAIRS BUREAU
INVESTIGATING OFFICER'S REPORT**

FROM: Det. Tracy Squillini **COMMAND:** IAB Group # 9
LOG #: 09-58959 **New C/O #:** 09-4962 **CALLOUT #:** 09-4962
ACCOMPANYING INVESTIGATOR (S): Sgt. Thomas Meehan & Det. Erwin Bustos
ALLEGATION: FIREARMS DISCHARGE IN THE CONFINES OF THE 101 PCT,
 1 MALE DOA.

Defendant:

D. M. (AKA M. (DOB [REDACTED])

NYSID # [REDACTED]

C. R. (DOB [REDACTED])

Dashawn Vasconcellos (DOB 08/18/1991/08/19/1991)
 DOA
 433 Beach 40 St.
 Queens, NY
 NYSID #2861969R/9876843Q

Location: Beach Channel Drive & Beach 32nd Street, Confines of 101 Pct.

Subject: Lt. Jason Schleyer Tax #904154
 PO Joseph Crusado Tax #93470
 PO Donnel Myers Tax #934020
 Det. Rafael Ramos Tax #902246
 Det. Richard L. Zaccarese, tax#924643

TIME: 1320 hour**DAY:** Sunday**DATE:** 11/22/09

On 11/22/09 @ 0001 hrs, PO OSullivan-Operations called the CC to report that a shooting occurred in the confines of the 101 PCT and 2 perps are under at the location and a third perp is being transported to Jamaica Hospital with multiple gunshot wounds and is likely. @ MOS are being transported to Peninsula Hospital for trauma. Capt. Hanrahan-XO 101 PCT is notified and on scene. SPRINT#S16542. (JTC)

0003 hrs Grp #9 investigators are notified of callout.

0130 hrs Present at the 101 Pct:

I/O is present at the 101 Sqd, ascertaining the pedigree information of the two (2) perps from Det. Cunningham.

0238 hrs Interview of C. R. (This interview was conducted by Det. Cunningham and was not audio taped - in the presence of his parent Susan Barrios)

C [redacted] states that he had been with D [redacted] all day and they were heading over to a party (when asked the location of the party, C [redacted] could not provide a location). C [redacted] states that he saw an individual behind him but he is unable to provide a description of the individual. C [redacted] further states that police officer, in plain clothes, pulled up alongside of them and exited their vehicle and proceeded to order him and D [redacted] to the ground. Consequently, D [redacted] and C [redacted] were arrested. C [redacted] states that he saw someone run off and the cops provided chase to that individual; C [redacted] does not know the individual. C [redacted] on the other hand, knows D [redacted] for 2 yrs. C [redacted] states that two officers remained with him and D [redacted] at the scene while the others went to chase down the other male.

0325 hrs: C [redacted] R [redacted] was re-interviewed by I/O and a member of CS Investigations, Lt. Tarpey. (This interview was audio taped) The following is C [redacted] details on the matter:

C [redacted] reports that he was with D [redacted] all day and that they were going to a party. A police car approached them and officers exited the vehicle and proceeded to order them to the ground and they were consequently arrested. C [redacted] witnessed the individual run and the officers gave chase, followed by a "bunch" of gun shots. C [redacted] and D [redacted] were held at the scene by two officers and C [redacted] attest that he does not know the DOA, Dashawn Vasconellas, nor was he and D [redacted] hanging out with him. Lastly, C [redacted] was able to identify the officers because they stated "Police, get on the ground!" C [redacted] states that officers were in plainclothes and he was certain they were officers.

0346 hrs Interview of D [redacted] M [redacted]

I/O and Lt. Tarpey attempted to interview Mr. M [redacted] but he refused to participate in the interview if it was going to be recorded. Mr. M [redacted] stated that the only information that he would be able to provide is that he heard a bunch of gun shots but he did not wish to be involved in this matter.

The following details is based on an earlier interview conducted by Det. Cunningham of the 101 Sqd. The statement that is being recorded is being drawn directly from the DD-5:

D [redacted] informed Det. Cunningham, Tax #899098, that he was walking with his friend C [redacted] to a party when he saw a person he knew from the neighborhood named Dashawn, in the Bravo parking lot. D [redacted] states that Dashawn looked suspicious and nervous and a few minutes later the police pulled up and jumped out of their car, with their shields around their neck, and yelled "Police, get down to the ground!" D [redacted] states that he told the officers that he was in possession of a bag of weed. D [redacted] further states that he heard a bunch of shots but could not observe who was shooting or where it was coming from. At 0130 hrs, D [redacted] was asked to provide a written statement, at which time he refused and denied knowing Dashawn or his name.

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Interview of Sgt. Kevin Matthews Tax #919361:

0537 hrs Sgt. Matthews states that he was conducting a 1530 x 0005 hrs and that he is assigned to Intel Division. Sgt. Matthews was working with PO Paulson and Lt. Schleyer and states that he was responding to 32 St, in response to a 1013 Shots Fired, and upon arrival, Sgt. Matthews observed two (2) uniform officers with two (2) perps cuffed on the floor. Sgt. Matthews walked over to 32 St and observed several officers and EMS present on the scene. In addition, Sgt. Matthews saw the DOA on the ground and EMT's were tending to him. The Crime Scene was set up and shell casings were observed on the ground. Sgt. Matthews

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states that he knows none of the involved officers in the shooting because he recognized his voice over the radio and he identifies him as PO Cruzado; the sergeant has previously worked with PO Cruzado in Anti Crime. Sgt. Matthews further states that although none of the involved officers were speaking about what had occurred, he asked the officers if they were alright and they acknowledged that they were.

Interview of PO Donnel Myers Tax #934020:

0653 hrs PO Myers was assigned to the 100/101 pct to conduct surveillances in the Hamell Houses, due to prior shootings in the area. He was assigned to work with Det. Zacarese, Tax #924643, and they were performing a 1500 x 2335 tour. Oth officers were assigned to RMP 8604, Black Dodge Charger. The officers were traveling W/B on Beach Channel Drive when they observed three male blacks walking into the park. Two male blacks appeared to be walking together and another male black was walking behind them, along Beach Channel Drive. The officers continued to drive along and decided to make u-turn and returned in the direction of these males. The officers are now traveling E/B when the three males now enter the park through a pathway. Two males exit out of the park and are in the middle of the road and the last male was stepping off the sidewalk, onto the street, when the officers stopped their vehicle and three officers exited the car. PO Meyers, Det. Ramos, and Det. Zacarese exit the vehicle and have their shields exposed, color of the day was visibly on their arms and vests, with Det. Ramos having "POLICE" displayed across his vest, in white letters. The officers called out to the males and the two male blacks, with hands in their pockets, they turned around, ignored the request and proceeded walking. The stop was being conducted because the males should not have been in the park; the park closes at dusk. PO Meyers again yelled out to the males "Police, Police Stop" and the male that was trailing behind the two males proceeded to take off running. PO Meyers proceeds to apprehend the two males by consequently pushing the shorter male, later identified as C [REDACTED] F [REDACTED] into the other perp, identified as D [REDACTED] M [REDACTED] after repeatedly yelling out his commands to these individuals. PO Meyers recalls hearing Det. Ramos yell out to the male black, later identified as Dashawn Vasconcellos, "Police Don't Move!" PO Meyers reports that he could hear the officers yell out "Drop the gun" and they did so repeatedly. PO Meyers does not have the detectives in view but he hears several gun shots being discharged while he is handcuffing his second perp, D [REDACTED] PO Meyers then hears PO Zacarese come over the radio requesting additional units and EMS to the scene; they have one male shot. PO Meyers recalls eventually responding to the location of 32 St, where his partners were at, and observing a male on the ground that appeared to be shot. In the vicinity of that male, a silver gun with a black handle was laying on the ground. PO Meyers states that he became aware that the officers had discharged their weapons when he overheard the discussion that was taking place among them. PO Meyers states that he did not discuss the firearms discharge with the officers; he only asked them if they were alright and they acknowledged that they were. PO Meyers did not discharge his weapon or unholster it either; he kept his hand over his holstered weapon. His weapon was inspected by Lt. Schleyer. PO Meyers clarifies that in the beginning of his tour he was assigned to work with Det. Zacarese but later, approximately 2000 hrs, the officers regrouped at the 101 pct and added two more passengers to their vehicle: PO Cruzado, Tax #934706, and Det. Rafael Ramos, Tax #902246. The officers involved were ordered by Lt. Schleyer to go to Peninsular Hospital and PO Myers was relieved of his duties of safeguarding the perp's firearm; the responsibility was assigned to another officer.

****Note**** A brief recess, consisting of twenty minutes (0715 hrs to 0735 hrs), was requested on behalf of Captain Olexa, QSIU.

1320 hrs Present at 315 Hudson St.

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Criminal History for the name:

D M has

Dashawn Vasconcellos (DOA) has a total of three arrests, to include two Felonies and three Misdemeanors. He has three open cases and one warrant.

There was no documented arrest/criminal history for C R

Recommendation: This is an ongoing investigation that is being handled by Group #58, Sgt. Lisa, Grp #56 notified.

Inv. Officer: Det. Tracy Squillace **Supervisor:** Sgt. Thomas Meehan
Det. Tracy Squillace Sgt. Thomas Meehan

Team Leader: Lt. Edward Mengani **Commanding Officer:** D.I. Timothy McCarthy
Lt. Edward Mengani D.I. Timothy McCarthy